



2834

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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	09/882,765	
	Filing Date	06/15/2001	
	First Named Inventor	Robert D. Kern et al	
	Group Art Unit	2834	
	Examiner Name	Jaydi A. Aguirrechea	
Total Number of Pages in This Submission		Attorney Docket Number	297.006

**ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard
Remarks		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

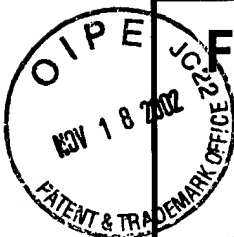
Firm or Individual name	Peter C. Stomma, Reg. No. 36,020 Boyle, Fredrickson, Newholm, Stein & Gratz S.C. 250 East Wisconsin Avenue, Suite 1030 Milwaukee, WI 53202
Signature	
Date	11/11/02

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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

Complete if Known

Application Number 09/882,765  
 Filing Date 06/15/2001  
 First Named Inventor Robert D. Kern et al.  
 Examiner Name Jaydi A. Acuirrechea  
 Group Art Unit 2834  
 Attorney Docket No. 297.006

TOTAL AMOUNT OF PAYMENT

## METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit  
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Number  
50-1170  
 Deposit  
Account  
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Boyle Fredrickson Newholm Stein & Gratz  
S.C.

☒ Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17  
 Applicant claims small entity status.  
See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit Card ☐ Money Order ☐ Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$)

## 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from Below	Fee Paid
<input type="checkbox"/> -20**=	<input type="checkbox"/> X	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> -3**=	<input type="checkbox"/> X	<input type="checkbox"/>	<input type="checkbox"/>
Multiple Dependent			

(Previously Paid for 2 extra independent claims)

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

\*\* or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$40)

## SUBMITTED BY

Name (Print/Type) Peter C. Stomma

Signature

Registration No.  
(Attorney/Agent)

36,020

Complete (if applicable)

Telephone

(414) 255-9755

Date

11/14/02

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#5 RESP.  
T. BELL  
PATENT 11-22-02

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: )  
ROBERT D. KERN ET AL. )  
Serial No.: 09/882,765 )  
Filed: June 15, 2001 )  
Examiner: J. A. Aguirrechea )  
Art Unit: 2834 )  
SYSTEM CONTROLLER AND METHOD )  
FOR MONITORING AND CONTROLLING )  
A PLURALITY OF GENERATOR SETS )

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Christine Kierzek

Signature

Date

Christine Kierzek 11/11/02

**RESPONSE TO OFFICE ACTION**

Director of the U.S. Patent  
and Trademark Office  
Box Response  
Washington, D.C. 20231

Sir:

Responsive to the Office Action dated August 14, 2002, applicant respectfully requests reconsideration in view of the following comments.

The Examiner has rejected claims 1-6 and 10-15 under 35 U.S.C. § 102(b) as being anticipated by Thompson et al., U.S. Patent No. 5,734,255. In addition, claims 7-9 and 16-24 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over the Thompson et al. '255 in view of Nyenya, U.S. Patent No. 5,278,771. As hereinafter described, it is believed that the claims, as they presently stand, define over the cited references and reconsideration of the Examiner's rejections is respectfully requested.

Claim 1 defines a controller for controlling one or more generator sets connectable to a load. Each generator set has the ability to be started and stopped and includes a generator communications link for connecting the generator set to a network. Each generator set also includes an engine and a generator driven by the engine which generates AC power having a magnitude and a power factor and AC voltage having a magnitude and frequency. The controller includes a user interface for allowing the user to select a generator set and to set values for various predetermined operating parameters of the selected generator set. A communication link is connectable to the network for transmitting the user set values of the predetermined operating parameters to the selected generator set. As hereinafter described, none of the cited references show or suggest providing a user interface for transmitting user set values for a generator set over a network to the generator set. As such, it is believed that independent claim 1 defines over the cited reference and passage to allowance is respectfully requested.

The Thompson et al. '255 patent is directed towards a system for providing electrical power to a remote communities that are distributed over an extended geographical area. The system includes a generating station that is in electronic communication with a central computer. The generating station includes a plurality of generators controlled by a microprocessor-based controller. However, contrary to the Examiner's suggestion, Thompson et al. '255 patent does not show or suggest a user interface that allows a remote user to select a generator set; to set values for various predetermined operating parameters of the selected generator set; and to transmit those user selected values to the generator set over the network

Referring to Column 8, lines 35-58 of the Thompson et al. 255 patent, it states that the controller 64 of the system is arranged to monitor various parameters and malfunction warning for the generators of the system. These parameters and malfunction warnings may be transmitted to a central computer where the parameters and malfunction warnings may be continually monitored at a remote location. If a potentially catastrophic malfunction can be anticipated from

such warnings, personnel can be dispatched to rectify the conditions threatening the malfunction before it occurs. Hence, unlike the controller of independent claim 1, the system disclosed in the Thompson et al. '255 patent does not include a user interface that allows to set and a user to transmit the values of various operating parameters to a selected generator set over a network. (underlining added) The system disclosed in the Thompson et al. '255 patent merely allows a remote user to monitor various parameters on the generators. If the system of the Thompson et al. '255 patent would suggest two way communication as required by independent claim 1, the system would not contemplate the dispatching of personnel to rectify warning conditions of the generators of the system.

In view of the foregoing, it is believed that independent claim 1 defines over the cited reference and passage to allowance is respectfully requested.

Claims 2-9 depend either directly or indirectly from independent claim 1 and further define a controller not shown or suggested in the prior art. By way of example, claims 3 and 5-9 define various aspects of the user interface. For example, claims 3, 5-6 and 8-9 define various screens which may be accessed through the user interface. Such screens are not shown or suggested in the Thompson et al. '255 patent. Further, nothing in the cited Nyenya '771 patent shows or suggests providing various screens for the user interface of the controller of the present invention. As such, it is believed that claims 2-9 are allowable as depending from an allowable base claim and in view of the subject matter of each claim.

Referring to Fig. 10, a power generator system is defined for providing electrical power. The power generator system includes at least one generator set, a user interface for allowing a user to select a generator set and to set values for various predetermined operating parameters of the selected generator set, and a system communication link connectable to a network for allowing the user set values of the predetermined operating parameters to be transferred to the generator control of the selected generator sets.

As heretofore described with respect to independent claim 1, none of the cited references show or suggest a user interface that allows a user to select a generator set, to select values for various operating parameters of the selected generator set, and to transmit those user set values of the predetermined operating parameters to the generator control of the selected generator set over the network. As such, it is believed that independent claim 10 defines over the cited reference, and passage to allowance is respectfully requested.

Claims 11-18 depend from claim 10 and further define a power generation system not shown or suggested in the cited references. It is believed that claims 11-18 are allowable as depending from an allowable base claim and in view of the subject matter of each claim.

Claim 19 defines a method of managing the distribution of electrical power. The method includes the step of interconnecting at least one generator set to a load and to a network. Each generator set has the ability to start and stop. A generator set is selected and various predetermined operating parameters of the selected generator set are set. The settings of the predetermined operating parameters are transmitted over the network to the selected generator set.

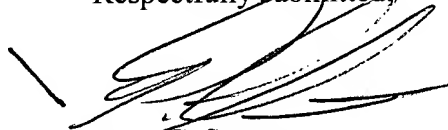
As heretofore described with respect to independent claims 1 and 10, nothing in the cited reference shows or suggests the settings of various operating parameters of a generator at a remote location and transmitting the setting of the predetermined operating parameters over a network to a selected generator set. The suggestion of such methodology is entirely absent from the Thompson et al. '255 reference and the Nyenya '771 patent. As such, it is believed that independent claim 19 defines over the cited references, and passage to allowance is respectfully requested.

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Inventors: Robert D. Kern et al  
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Claims 20-24 further define a method of managing the distribution of the electrical power that is not shown or suggested in the prior art. It is believed that claims 20-24 are allowable as depending from an allowable base claim and in view of the subject matter of each claim.

Applicant believes that the present application with claims 1-24 is in proper form for allowance and such action is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Peter C. Stomma", is written over a horizontal line.

Peter C. Stomma  
Registration No.36,020

Dated: November 11, 2002

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Docket No.: 297.006